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EXAMINER

BITAR, NANCY

ART UNIT PAPER NUMBER

2624

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Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/684,355	MORIYAMA ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Nancy Bitar	2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 10 October 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-46 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/10/03</u> . | 6) <input type="checkbox"/> Other: _____  |

### ***Claim Objections***

1. Claims 12-14 are objected to because of the following informalities: Claim 12, 13 and 14 depend on claim 11 that recites a portable terminal whereas, the dependent claims recites "the terminal of claim 11". Appropriate correction is required.

### ***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

The USPTO "Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility" (Official Gazette notice of 22 November 2005), Annex IV, reads as follows:

Descriptive material can be characterized as either "functional descriptive material" or "nonfunctional descriptive material." In this context, "functional descriptive material" consists of data structures and computer programs, which impart functionality when employed as a computer component. (The definition of "data structure" is "a physical or logical relationship among data elements, designed to support specific data manipulation functions." The New IEEE Standard Dictionary of Electrical and Electronics Terms 308 (5th ed. 1993).) "Nonfunctional descriptive material" includes but is not limited to music, literary works and a compilation or mere arrangement of data.

When functional descriptive material is recorded on some computer-readable medium it becomes structurally and functionally interrelated to the medium and will be statutory in most cases since use of technology permits the function of the descriptive material to be realized. Compare *In re Lowry*, 32 F.3d 1579, 1583-84, 32 USPQ2d 1031, 1035 (Fed. Cir. 1994) (Claim to data structure stored on a computer readable medium that increases computer efficiency held statutory) and *Warner*, 33 F.3d at 1360-61, 31 USPQ2d at 1759 (claim to computer having a specific data structure stored in memory held statutory product-by-process claim) with *Warner*, 33 F.3d at 1361, 31 USPQ2d at 1760 (claim to a data structure per se held nonstatutory).

In contrast, a claimed computer-readable medium encoded with a computer program is a computer element which defines structural and functional interrelationships between the computer program and the rest of the computer which permit the computer program's functionality to be realized, and is thus statutory. See *Lowry*, 32 F.3d at 1583-84, 32 USPQ2d at 1035.

Claim(s) 19 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter as follows. Claim 19 defines a computer program embodying functional descriptive material. However, the claim does not define a computer-readable medium or memory and is thus non-statutory for that reason (i.e., "When functional descriptive material is recorded on some computer-readable medium it becomes structurally and functionally interrelated to the medium and will be statutory in most cases since use of technology permits the function of the descriptive material to be realized" – Guidelines Annex IV). That is, the scope of the presently claimed computer program can range from paper on which the program is written, to a program simply contemplated and memorized by a person. The examiner suggests amending the claim to embody the program on "computer-readable medium" or equivalent in order to make the claim statutory. Any amendment to the claim should be commensurate with its corresponding disclosure.

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kanada (US 6,954,767 B1) in view of Rothschild (US 6,678,703 B2), and further in view of Fukushima et al (U.S. Patent No. 5,051,849).

As to claim 1, Kanada teaches a medical image radiographing system comprising a radiographing apparatus (note: abstract; Figure 1; column 14 lines 11-12) for radiographing a medical image of a patient (image archiving apparatus 17 or 18 which reads desired image data, column 14 lines 22-25, figure 1), an information management apparatus for managing radiographing order information, a control apparatus for obtaining the radiographing order information (ID number of the patient, column 16 line 7) from the information management apparatus through a communication network, and a portable terminal connectable to the control apparatus, wherein the control apparatus (image server, 14) comprises: a storage section ( image archiving apparatus 17 or 18) for storing the radiographing order information obtained from the information management apparatus (image recording modalities 12 and 13 be stored in the image archiving apparatus 17 or 18, column 14 lines 21-23); and an assigning section for assigning an operator for performing radiography according to the radiographing order information stored, the control apparatus transmits the radiographing order information to the portable terminal along with operator identification information of the operator assigned ( the system carries out information transmission and processing based on examination order information, column 14 lines 15-17), and the portable terminal comprises: a storage section for storing the radiographing order information and the operator identification information transmitted

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from the control apparatus (note that the examination order information may include the date of examination, the ID number of a patient, a modality code, a code of the image requesting department status, see column 16, lines 5-8 ); an authentication section for authenticating the operator on the basis of the operator identification information stored; and a display section for displaying the radiographing order information stored when the authentication section authenticates the operator (section control means having for each of the image display terminals, setting defining whether only the storing means or the storing means as well as the database are searched and for determining where to search according to the setting for each terminal, column 12 lines 6-10) .Kanada teaches the invention as cited above, he does not explicitly teach a portable terminal. Kanada does teach a terminal connected to system as a reference to search and fetch images (note terminal 16 and workstation 15, figure 3). Rothschild et al. teaches a remote interface which can be wireless for medical imaging screening, and lists several devices that might be implemented for the system (figure 1 remote interface 35 and figure 6, column 9 lines 24-62,wireless column 21 lines 1-8). It would have been obvious to one of ordinary skill at the time of the invention to combine the cited references because a portable terminal would provide a more convenient means of analysis. Moreover, Kanada teaches control means having for each of the image display terminals, setting defining whether only the storing means or the storing means as well as the database are searched and for determining where to search according to the setting for each terminal (column 12, lines 6-10) he does not explicitly teach a management section that authenticates the data. Rothschild et al. teaches a medical

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image management system that include a medical imaging system, a local image workstation, and means for pushing the electronic image to a remote image viewing, column 12 lines 16-22). Moreover, Rothschild et al teaches The IP address identifier internally determines the connection status and IP address, e.g., assigned by an Internet service provider. The IP notifier, after proper authentication, notifies the central database of the current IP address. The data request device requests queued data from the central data management system. The internal poller polls the viewer, workstation or system for the occurrence of a predetermined event that triggers the IP address notification and/or data request (column 17, lines 5-12). It would have been obvious to one of ordinary skill at the time of the invention to combine the cited references because the workstation communicates with the medical imaging device such that to authenticate the transmission of the medical record from the medical imaging device and received by the local image workstation (column 12 lines 26-30).

As to claim 2, Kanada teaches the system of claim 1, wherein the portable terminal further comprises a warning section for warning that the operator is not assigned, when the authentication section does not authenticate the operator. Note the discussion of Kanada above, Kanada disclose the medical image radiographing as recited in claim 6 with exception of describing the limitation " a warning section ". For example, Kanada discloses the portable radiographing information (image recording modality, figure 1 and figure 11). Kanada teaches the identification information of the operator inputted by the input section (patient ID number associated

with image data 40, column 23 lines 8) agrees (in case the two image patient ID numbers are identical to each other, the image server 14 adopts the examination order information having the patient ID number as a standard for selecting the pre-fetched image, column 23, lines 11-16) with the identification information of the operator judged to be nonusable for the next radiographing (patient ID number contains in the examination order information, column 23 line 9). Kanada clearly teaches the judging section (judging means configured to judge the necessity of the pre-fetching based on a judging standard (column 21 lines 58-65), but does not mention a warning section to warn that the operator is not assigned, when the authentication section does not authenticate the operator. Fukushima et al. teaches the controller 91 causes the display device 92 to display or warn the operator is not authenticated (step S24; (column 14, line 37 though column 15, line 4). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have utilized the control to warn the operator whether when the authentication section does not authenticate the operator as taught by Fukushima to the controlling means of Kanada (column 4 lines 12-17) in order to secure the authenticates of the medical records and increase patient confidentiality.

As to claim 3, Kanada teaches the system of claim 1, further comprising a plurality of control apparatuses, wherein the portable terminal further comprises an input section (image recording modalities 12 and 13, column 23, line 3) for inputting radiography completion information for informing that the radiography according to the



radiographing order information stored is completed (hard disc 14a, note that (the image data 40 in a hard disc 14a, column 23, lines 1-5); and transmits order identification information of the radiographing order information according to which the radiography has completed, to a control apparatus which has transmitted the radiographing order information to the portable terminal among the plurality of control apparatuses on the basis of the radiography completion information input (the system carries out information transmission and processing based on examination order information regarding patients of the requesting departments or on photographing information in the image recording modalities 12 and 13, column 14 lines 11-20), and each control apparatus transmits the order identification information of the radiographing order information transmitted from the portable terminal to the other control apparatuses(workstation 15 , the reference terminal 16 to transfer the image data, column 14 lines 25-28), and when all the plurality of control apparatuses receive the order identification information of the radiographing order information from at least one of any one of the plurality of control apparatuses and the information management apparatus (the image server 14 receives image data 40 related to the images, column 23, lines 1-5), all the plurality of control apparatuses delete the radiographing order information from the storage section ( means to cancel the delivery of the image if the database contained the image selected by the means for selecting the imaged to be delivered , column 6, lines 49-52).

As to claim 4-5, Kanada teaches the system of claim 3, wherein the portable terminal is connectable to a specific control apparatus among the plurality of control apparatuses (figure 3 where 14, 14a, 15 and 16 are connected).

Claims 6-10 differ from claims 1-5 only in that claim 6-10 are a method claim whereas, claims 1-5 are a system claim. Thus, claims 6-10 are analyzed as previously discussed with respect to claims 1-5 above.

As to claim 11, Kanada teaches a portable terminal in a medical image radiographing system (image recording modalities figure 1 elements 12,13 and figure 11 elements 112, 113 and 116 reference terminal), comprising: a receiving section for receiving radiographing order information including information related to a patient; a display section for displaying the radiographing order information; an input section for inputting operator identification information of an operator (the image server 14 compares the patient ID number associated with the image data 40 sent from the image recording modalities 12 or 13 with the patient ID number contained in the information of the patient sent from the RIS and determines a delivery destination of the image data 40); an identification information authentication section for authenticating the operator according to the operator identification information input at the input section examination order information, note that image data recorded by the image recording 12 and 13 may be stored directly in the image archiving apparatus 17 or 18, column 14, lines 4-30 and that the examination order information may include the date of examination, the ID number of a patient, a modality code, a code of the image requesting department

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status, see column 16, lines 5-8); and a display control section for controlling display of the information related to the patient on the display section on the basis of a result of operator authentication by the identification information authentication section((control means for transmitting to the image display terminal a search result including information indicating a location of the image in the database in the case where the judging means has judged image processing to be unnecessary, column 11, lines 14-24).

As to claims 12-14, Kanada teaches the terminal of claim 11, further comprising a radiographing order information storage section (hard disc 14a) for storing the radiographing order information (examination order information) received by the reception section, wherein the display control section controls display on the display section by downloading (image server 14 is a computer which makes image data recorded, column 14, lines 21-22), the information related to the patient from the radiographing order information storage section on the basis of the result of operator authentication by the identification information authentication section ( control means having for each of the image display terminals setting defining whether only the storing means or the storing means as well as the database are search where it is connected to a plurality of image display terminals that display a search result on the terminal, column 12, lines 6-24).

The limitation of claims 15-18 has been addressed except that claims 15-18 refer to a method claims. Thus, claims 15-18 are analyzed as previously discussed above.

Claim 19 differ from claims 15 only in that claim 19 is a program claim whereas, claim 15 is a method claim. Thus, claim 19 is analyzed as previously discussed with respect to claim 15 above.

The limitation of claim 20 has been addresses above except for the following limitation "information related to a patient as downloadable". Kanada teaches the image server 14 is a computer which makes image data recorded, column 14, lines 21-22).

As to claim 21, Kanada teaches the system of claim 20, wherein the portable terminal comprises: a receiving section for receiving the radiographing order information including the information related to the patient (the image server 14 receives image data 40 related to the images, column 23, lines 1-5); a radiographing order information storage section for storing the radiographing order information received by the receiving section (stores the image data 40 in a hard disc 14a, column 23, lines 1-5); a display section for displaying the radiographing order information control means for transmitting to the image display terminal a search result including information indicating a location of the image in the database in the case where the judging means has judged image processing to be unnecessary, column 11, lines 14-24).; an input section for inputting operator identification information of an operator image recording modalities 12 and 13, column 23, line 3, note that a series of items of the examination order information corresponding to the input image can be picked up correctly out of plurality of items of the examination order information, each associated with a single patient, column 23 lines 42- 46); an identification information authentication section for authenticating the operator according to the operator identification information input at the input section (

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patient ID number associated with image data 40 with the patient ID number contained in the examination order information sent from the RIS, column 23, lines 7-11); and a display control section for controlling display of the information related to the patient on the display section on the basis of a result of operator authentication by the identification information authentication section (the workstation such as the diagnostic workstation 15 in the image display system shown in figure 3,5,7 or 9 preferably comprises the display means capable of displaying the image stored in the workstation, column 23 lines 59-62).

As to claim 22, Kanada teaches the system of claim 21, wherein the display control section of the portable terminal controls display on the display section by downloading the image server 14 is a computer which makes image data recorded, column 14, lines 21-22) the information related to the patient from the radiographing order information storage section on the basis of the result of operator authentication by the identification information authentication section (examination order information, note that image data recorded by the image recording 12 and 13 may be stored directly in the image archiving apparatus 17 or 18, column 14, lines 4-30 and that the examination order information may include the date of examination, the ID number of a patient, a modality code, a code of the image requesting department status, see column 16, lines 5-8) .

As to claim 23, Kanada teaches the system of claim 21, wherein the display control section of the portable terminal controls display on the display section by

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downloading the information related to the patient by way of the control apparatus from the information management apparatus (RIS, 11) managing the radiographing order information on the basis of the result of operator authentication by the identification information authentication section (control means having for each of the image display terminals, setting defining whether only the storing means or the storing means as well as the database are searched and for determining where to search according to the setting for each terminal, column 12 lines 6-10).

As to claim 24, Kanada teaches the system of claim 21, wherein the identification information authentication section of the portable terminal is set to operate in conjunction with a start-up of the portable terminal.

As to claims 25-26, Kanada teaches a medical image radiographing system comprising: a control apparatus for managing radiographing order information and a medical image related to the radiographing order information; at least one portable terminal to which the control apparatus is able to transmit the radiographing order (the system carries out information transmission and processing based on examination order information, column 14 lines 15-17); an assigning section for assigning a portable terminal to which the control apparatus transmits the radiographing order information among the at least one portable terminal when the control apparatus transmits the radiographing order information to the at least one portable terminal( 217 or 218); and a communication control section (Radiology department information system 11) for transmitting the radiographing order information to the portable terminal assigned (image acquisition means for acquiring an image from the archiving apparatus 17 or 18,

column 15 lines 5-6) .Moreover, Kanada teaches a storage section for storing an address allocated for each of the at least one portable terminal (note as addressed above Rothschild et al teaches The IP address identifier internally determines the connection status and IP address, e.g., assigned by an Internet service provider. The IP notifier, after proper authentication, notifies the central database of the current IP address. The data request device requests queued data from the central data management system. The internal poller polls the viewer, workstation or system for the occurrence of a predetermined event that triggers the IP address notification and/or data request (column 17, lines 5-12), wherein the assigning section (department requesting image data) assigns the portable terminal to which the control apparatus transmits the radiographing order information to with the address; and the communication control section controls communication of the system with the address (control means for transmitting to the image display terminal a search result including information indicating a location of the image in the database in the case where the judging means has judged image processing to be unnecessary, column 11, lines 14-24). Furthermore, Kanada clearly teaches a management section (image server, 14) for controlling both the radiographing order information stored and the radiographing order information received and the identification information of the cassette thereto, according to a result determined by the determination section (control means having for each of the image display terminals, setting defining whether only the storing means or the storing means as well as the database are searched and for determining where to search according to the setting for each terminal, column 12 lines 6-10) .Kanada

teaches the invention as cited above, he does not explicitly teach a portable terminal. Kanada does teach a terminal connected to system as a reference to search and fetch images (note terminal 16 and workstation 15, figure 3). Rothschild et al. teaches a remote interface which can be wireless for medical imaging screening, and lists several devices that might be implemented for the system (figure 1 remote interface 35 and figure 6, column 9 lines 24-62, wireless column 21 lines 1-8). It would have been obvious to one of ordinary skill at the time of the invention to combine the cited references because a portable terminal would provide a more convenient means of analysis. Moreover, Kanada teaches control means having for each of the image display terminals, setting defining whether only the storing means or the storing means as well as the database are searched and for determining where to search according to the setting for each terminal (column 12, lines 6-10) he does not explicitly teach a management section. Rothschild et al. teaches a medical image management system that include a medical imaging system, a local image workstation, and means for pushing the electronic image to a remote image viewing, column 12 lines 16-22). It would have been obvious to one of ordinary skill at the time of the invention to combine the cited references because the workstation communicates with the medical imaging device such that the electronic record may be transmitted from the medical imaging device and received by the local image workstation (column 12 lines 26-30).

As to claim 27, Kanada teaches the system of claim 26, wherein the control apparatus comprises the assigning section (RIS, radiology department information system, 11).



As to claim 28, Kanada teaches the system of claim 25, further comprising a plurality of control apparatuses, wherein the plurality of control apparatuses are connected to each other through a network (figure 13,210).

As to claim 29, Kanada teaches the system of claim 28, wherein the at least one portable terminal (216, figure 13) is capable of communicating with the plurality of control apparatuses through the network (210, figure 13).

As to claim 30 Kanada teaches the system of claim 28, wherein the at least one portable terminal (216, figure 13) is capable of communicating (210) with a predetermined control apparatus (RIS, 211) among the plurality of control apparatuses (214,214a, 214b).

As to claim 31, Kanada teaches a medical image radiographing system comprising: a radiographing order generating apparatus for generating radiographing order information (column 14, lines 32-37, note that the workstation 15 carry out image processing to generate an image appropriate for diagnosis); a control apparatus (image server 14) for obtaining the radiographing order information and relatedly managing the radiographing order information and at least one of information related to the radiographing order information and a medical image ( note that the examination order information may include the date of examination, the ID number of a patient, a modality code, a code of the image requesting department status, see column 16, lines 5-8 ); at least one portable terminal to which the control apparatus is able to transmit the radiographing order ( the system carries out information transmission and processing based on examination order information, column 14 lines 15-17); an assigning section

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for assigning a portable terminal to which the control apparatus transmits the radiographing order information among the at least one portable terminal when the control apparatus transmits the radiographing order information to the at least one portable terminal( 217 or 218); and a communication control section (Radiology department information system 11) for transmitting the radiographing order information to the portable terminal assigned ( image acquisition means for acquiring an image from the archiving apparatus 17 or 18, column 15 lines 5-6) .

As to claim 32, Kanada teaches the system of claim 31, further comprising a storage section for storing an address allocated for each of the at least one portable terminal, wherein the assigning section (delivery destination, column 19, lines 25) assigns the portable terminal to which the control apparatus transmits the radiographing order information with the address, and the communication control section controls communication of the system with the address (image recording modalities 112, and 113,an image server 114 as a medical image search apparatus 117,118,and 119,a laser printer 120,and the like are connected to the network 110, see column 24,lines 22-27)..

As to claim 33, Kanada teaches the system of claim 32, wherein the control apparatus (image server 14) comprises the assigning section (delivery destination, column 19, lines 25-37).

As to claims 34-36, Kanada teaches the system of claim 31, further comprising a plurality of control apparatuses, wherein the plurality of control apparatuses are connected to each other through a network (figure 13, 210) and at least one portable

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terminal is capable of communicating with the plurality of control apparatuses (image server 14, 14a) through the network. Furthermore, Kanada teaches the system of claim 34, wherein the at least one portable terminal is capable of communicating with a predetermined control apparatus among the plurality of control apparatuses (image recording modalities 112, and 113, an image server 114 as a medical image search apparatus 117, 118, and 119, a laser printer 120, and the like are connected to the network 110, see column 24, lines 22-27).

As to claim 37-40, Kanada teaches the system of claim 38, wherein the storage section (hard disc 14a) stores an address allocated for each of the at least one control apparatus, and the assigning section (delivery destination, column 19, lines 20-35) assigns a control apparatus (image server 14) among the at least one control apparatus to transmit the radiographing order information according to which radiography has been completed to with the address (image server 14 contains storing means in which several combinations of the image recording modality and the name of the image requesting doctor and several sets of three delivery destinations each associated with one of the combinations are stored in where the delivery destination 1, 2, and 3, correspond to terminals 31, 32, and 33, column 19, lines 25-37).

As to claim 41-42 Kanada teaches at least one control apparatus comprises the assigning section and the communication control section (the image server 14 looks up the modality and the name of the image requesting doctor combined the information sent by RIS reads the delivery destination as assigned in table 14e in the association with the modalities, column 19, lines 39-47).

As to claim 43, Kanada teaches the system of claim 37, further comprising a plurality of control apparatuses, wherein the plurality of control apparatuses are connected to each other through a network (figure 13, 210).

As to claims 44-46, Kanada teaches a medical image radiographing system comprising: a radiographing apparatus for radiographing a medical image of a patient, an information management apparatus (image server 14 comprises a computer system, column 24, line 47-59) for managing radiographing order information and transmitting the radiographing order information to outside according to instruction through a communication network (the radiology department information system 11 is connected to terminals not shown in figure 1 and placed in a radiology department or other medical departments such as internal department or a surgical ward requesting image recording to the radiology dept and the system carries out information transmission and processing based on examination order information regarding patients of the requesting departments or on photographing information in the image recording modalities 12 and 13), a plurality of control apparatuses (image database 14a, image server 14) for generating a radiographing order list by receiving the radiographing order information from the information management apparatus (generate an image appropriate for diagnosis, column 14, lines 31-37) through the communication network (network 10), transmitting the radiographing order information assigned in the radiographing order list to a portable terminal and relating the radiographing order information with radiography result related information transmitted from the portable terminal; and at least one portable terminal connectable to at least one of the plurality of control apparatuses for

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displaying the radiographing order information received from the at least one of the plurality of control apparatuses(the workstation such as the diagnostic workstation 15 in the image display system shown in figure 3,5,7 or 9 preferably comprises the display means capable of displaying the image stored in the workstation, column 23 lines 59-62); wherein when any one of the plurality of control apparatuses transmits the radiographing order information to any one of the at least one portable terminal portable terminal(16) connectable to the control apparatus through a communication network(10, column 14 lines 1-3), the radiographing order information is deleted from the radiographing order list of the other control apparatuses( means to cancel the delivery of the image if the database contained the image selected by the means for selecting the image to be delivered, column 6, lines 49-51).Moreover, Kanada teaches the identification information of the operator used for radiographing the radiographing image (the name of the image requesting doctor associated with the patient, column 19, lines 2-3)

### **Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Shiibashi et al (US 7,092,970) Is cited to teach an object of the present invention is to sufficiently minimize an input mistake of radiographing order information and, in the case of displaying medical images of a plurality of patients, to provide a medical image

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radiographing system, a method for managing a medical image and a method for displaying a medical image each displaying the medical images with good visibility.

Blum et al. (US-6, 405,165 B1) is cited to teach a recording unit contains a cassette where it stores the physicians report.

Motoki et al. (US-6, 920,465 B2) is cited to teach a radiographing apparatus including an input section which patient and radiographing information are stored in a memory.

Moriyama et al. (2004/0089710) is cited to teach storage section for storing the radiographing order information and an assigning section for assigning an operator for performing radiography and transmitting the radiographing order information to the portable terminal.

### **Inquiries**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nancy Bitar whose telephone number is 571-270-1041. The examiner can normally be reached on Mon-Fri (7:30a.m. to 5:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Mancuso can be reached on 571-272-7695. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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10/26/2006



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